

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: N. Hirota et al. Attorney Docket No.: TYOS123084
Application No.: 10/500192 Art Unit: 1794 / Confirmation No.: 9236
Filed: February 5, 2005 Examiner: Erik Kashnikov
Title: BIAXIAL ORIENTED POLYESTER CONTAINER AND
METHOD OF MANUFACTURING THE CONTAINER

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

September 3, 2010

DIRECTOR – U.S. PATENT AND TRADEMARK OFFICE:
ATTENTION: Refund Section, Accounting Division, Office of Finance

I. Refund Request

This is a request for a refund with respect to a charge to Deposit Account No. 03-1740 shown on the statement dated August 27, 2010 (copy of charge attached), for the above-identified patent application.

II. Fee Charged for Which Refund Requested

	<u>Amount of Fee Requested</u>
1806 - Submission of an Information Disclosure Statement	\$180
<u>Total Refund Requested:</u>	\$180

III. Explanation of Why Contested Charge Is in Error

On August 24, 2010, after receipt of a **Non-Final** Office Action, a Supplemental Information Disclosure Statement was submitted which included the appropriately checked statement under 1.97(e)(1) that "each item . . . was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the information disclosure statement" (copy of statement attached). (Also submitted was a second certification statement stating that the "communication was **not** received . . . **more than thirty days** prior to the filing" of the IDS.) Therefore, no submission fee was due. However, the PTO incorrectly charged our deposit account a submission fee of \$180 on August 27, 2010, for that IDS.

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{LLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

IV. Manner of Refund

Please make the refund by crediting \$180 to Deposit Account No. 03-1740.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}

Greg Bonboni
for *Reg. No. 37,919*

L. Rhys Lawson, Ph.D.

Registration No. 57,869

Direct Dial No. 206.695.1698

LRL:ctg

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United States Patent and Trademark Office

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Transaction Details

Type: Sale Name/Number: 10500192
 Status: Active Attorney Docket Number: TYOS120064
 Accounting Date: 08/27/2010

Sale Items

Name/Number	Attorney Docket	Status	Quantity	Item Total	Payment Amount	Fee Code	Description
10500192	TYOS120064	Active	1	\$180.00	\$180.00	1806	SUBMISSION OF AN INFORMATION DISCLOSURE STATEMENT-

Payment Details

Payment Type	Total Payment Amount	Payment Date	Payment Amount (this sale)
Deposit Account	\$180.00	08/27/2010	\$180.00



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Last Modified: 09/03/2010 10:08:08

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT****(Not for submission under 37 CFR 1.99)**

Application Number	10500192
Filing Date	2005-02-25
First Named Inventor	Hirota
Art Unit	1794
Examiner Name	Erik Kashnikow
Attorney Docket Number	TYOS123084

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

COPY

- ☒ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).


OR

- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☒ See attached certification statement.
- ☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☐ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Llewellyn Rhys Lawson/ 	Date (YYYY-MM-DD)	2010-08-24
Name/Print	Llewellyn Rhys Lawson	Registration Number	57869

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: N. Hirota et al. Attorney Docket No.: TYOS123084
Application No.: 10/500192 Art Unit: 1794 / Confirmation No.: 9236
Filed: February 25, 2005 Examiner: E. Kashnikov
Title: BIAXIALLY ORIENTED POLYESTER CONTAINER AND METHOD OF
MANUFACTURING THE CONTAINER

CERTIFICATION STATEMENT UNDER 37 C.F.R. § 1.704(d)

Seattle, Washington 98101

August 24, 2010

COPY

TO THE COMMISSIONER FOR PATENTS:

1. I, the person signing below, state that each item of information contained in the accompanying Information Disclosure Statement was first cited in a (any) communication from a foreign patent office in a counterpart foreign application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. Such communication was received on July 28, 2010.
2. I, the person signing below, am the attorney who prepared or prosecuted the application, signing on the basis of the information supplied by another individual designated in 37 C.F.R. § 1.56(c).

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}

C. Rhys

L. Rhys Lawson, Ph.D.
Registration No. 57,869
Direct Dial No. 206.695.1698

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